

PROB 12B
(7/93)

Report Date: December 19, 2011

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DEC 21 2011

JAMES R. LARSEN
SPOKANE, WASHINGTON DEPUTY

Name of Offender: Richard Lee Pollard

Case Number: 2:95CR00145-001

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, U.S. District Judge

Date of Original Sentence: 4/5/1996

Type of Supervision: Supervised Release

Original Offense: Possession with Intent to Distribute
Methamphetamine in violation of 21 U.S.C. §§
841(a)(1) and 18 U.S.C. § 2; Felon in Possession of a
Firearm in violation of 18 U.S.C. § 922(g);
Possession of an Unregistered Firearm in violation of
21 U.S.C. §§ 5861(d) & 5871; Conspiracy to Possess
with Intent to Dist. and Dist. Meth. in violation of 21
U.S.C. §§ 841(a)(1) & 846

Date Supervision Commenced: 11/25/2011

Original Sentence: Prison - 240 Months;
TSR - 60 Months

Date Supervision Expires: 11/24/2016

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 14 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 15 You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.
- 16 You shall submit your person, residence, office, or vehicle to a search, conducted by a U.S. probation officer, at a sensible time and manner, based upon reasonable suspicion of contraband or evidence of violation of a condition of supervision. Failure to submit to search may be grounds for revocation. You shall warn persons with whom you share a residence that the premises may be subject to search.

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CAUSE

The purpose of this petition is to apprise the Court of the status of the aforementioned case, in light of the Ninth Circuit Court of Appeals' finding in United States v. Stevens (9th Cir. 2005), and to request that the conditions of supervision be modified to authorize a maximum of six random drug tests per month.

Richard Pollard was asked whether he would waive his right to a hearing and agree to the modifications as previously described. As indicated by the enclosed Waiver of Hearing to Modify Conditions of Supervised Release form, Mr. Pollard has agreed to the proposed modifications.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 12/19/2011

s/Tommy Rosser

Tommy Rosser
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

12/21/2011

Date